REMARKS

Claims 1-10 are pending in the application and were rejected.

Formal drawings are submitted herewith under separate Letter to the Official Draftsperson. It is believed these drawings satisfy the informalities noted in Paper No. 3. Approval by the Examiner of these drawings is respectfully requested.

Claims 1 and 4 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention.

Claims 1 and 4 have been amended to overcome the problems kindly noted by the Examiner. Claim 1 has further been amended to indicate that the detectable material accentuates the failure.

Claims 1-10 are rejected under 35 USC § 103(a) as being unpatentable over Fuentes (5,657,003) in view of Del Grande et al. (5,444,241).

Turning first to Fuentes who discloses a structure movement monitoring and alarm system. What Fuentes is concerned with is measuring if a structure has moved by measuring the displacement. This arrangement can be used to determine if there has been any movement caused by an earthquake, typhoon or tornado. In the disclosed embodiment, a laser beam illuminates a spot on a wall whose position is being monitored. A video motion analyzer is used as well as a computer for detecting motion. The present invention is concerned with detecting failures and not motion. It uses a detectable material in or on the surface of the man-made structure to accentuate the detectability of a fault. The material in the fault causes such accentuation. There is no material used by Fuentes nor could he even be adapted to practice the present invention.

Turning to Del Grande et al, they disclose a method of applying heat to a structure and evaluating a sequence of scanned infrared images to obtain a temperature versus time history in order to detect failures. In only one embodiment where they have a metal surface do they coat such surface with a dark material prior to heating. Metal surfaces reflect radiant energy and the dark material is used to uniformly absorb heat. It is the underlying structure that has the heat differential and not the dark coating. Therefore, it is not the material in Del Grande et al that accentuates a fault it is just used for an overall heat absorber

on a metal surface. Applicants fail to see any motivation for combining Del Grande et al with Fuentes. In any event Fuentes is not concerned with fault detection, therefore, there would be no reason to coat the wall in Fuentes with heat absorbent material, beause Fuentes does not heat the wall, but measures motion. Moreover, the dark coating or heat absorbing material does not accentuate faults.

Amended claim 1 is believed to be allowable for the reasons set forth above. The remaining claims all depend upon claim 1 and should be allowed along with it.

It is believed that these changes now make the claims clear and definite and, if there are any problems with these changes, Applicants' attorney would appreciate a telephone call.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,

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Enclosures: copies of formal drawings